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## UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA (Danville Division)

| AVERETT UNIVERSITY OF DANVILLE,<br>VIRGINIA, | )<br>)<br>)                          |
|--|--------------------------------------|
| Plaintiff,<br>v.                             | ) Civil Action No.: 4:25ev00019<br>) |
| DONALD BRUCE AUNGST, et al.                  | )                                    |
| Defendant.                                   | )<br>                                |

## DEFENDANT DONALD BRUCE AUNGST'S MOTION TO DISMISS FOR IMPROPER VENUE AND FAILURE TO STATE A CLAIM

Defendant, Donald Bruce Aungst ("Aungst"), by and through counsel, hereby moves to dismiss claims made against him by Plaintiff, Averett University of Danville, Virginia ("Averett"), pursuant to Fed. R. Civ. Pro. 12(b)(3), the Federal Arbitration Act, 9 U.S.C. § 1, *et seq*, and Fed. R. Civ. Pro. 12(b)(6). A memorandum in support of this motion is filed herewith.

Dated: July 7, 2025 Respectfully submitted,

THE MUNDACA LAW FIRM, LLC

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